

## Teacher Version

# Briefing Memo II, Articles of Confederation

In 1781, the former colonies faced the huge task of creating an independent nation against almost overwhelming odds—they were broke, European powers controlled almost 50 percent of American territory, and the states could reach agreement on almost nothing. The new governing apparatus, the Articles of Confederation [*Articles of Confederation*] posed huge problems for the nation's chief diplomats: Secretary of Foreign Affairs John Jay and his two chief ministers—John Adams in London and Thomas Jefferson in Paris.

Without access to British and Spanish markets and only limited access to those of France, new commercial agreements were an imperative. [*A Prussian Desire for Tobacco; Treaty of Friendship and Commerce with the King of Prussia*] Morocco had welcomed American ships during the Revolutionary War and became one of the first nations to extend formal recognition. [*Treaty of Peace and Friendship with Morocco*] But Americans were well aware of—and apprehensive about—closer ties to European states [*Few Advantages of an Intimate Connection*], although some opportunities were too alluring to ignore [*Samuel Shaw, Consul at Canton; First Report from Canton*]

But how would the new republic conduct diplomacy? John Adams noted the impossibility of 13 separate ambassadors representing American interests overseas, which would present a “Picture of Confusion, Altercation, Expense, and endless delay.” [*Thirteen Ambassadors*] The

government was paralyzed by inefficiency. [*The Abasement of Congress*] American diplomats were unable to negotiate in good faith because Congress had no power to force the States to comply with national treaty obligations. [*States and Treaties*] Diplomats were among the first to realize that the United States would need a stronger federal government.

Americans also became aware of what they had lost through independence. As colonies under the protection of the British navy, Americans had developed a robust trade with the Mediterranean. Independence left them defenseless against the swift marauders of Algiers, Tripoli, and Tunis, who preyed on shipping, held American captives for ransom, and collected protection money to ensure safe passage. [*The Captives in Algiers*] Unfortunately, the new United States had no money to ransom its citizens. [*American slaves in Algiers*] Humiliation over the weak international position of the United States significantly contributed to calls for a stronger central government. Americans stayed in captivity for ten years until treaties were finally in place. [*Treaty with Tripoli, 1796, and Algiers, 1797*]

But it was another diplomatic issue that posed the most dramatic threat to American independence and unity. With its large New World territory, Spain had never been sympathetic to the goals of the American Revolution and had only offered support under pressure from France. Independence brought immediate conflict with the United States over trading privileges, territorial boundaries, control of the Mississippi River, and claims

that extended to the Ohio and Tennessee valleys. For states on the Atlantic, access to Spanish ports and trade was the most important issue, but for Southern states and Western pioneers, the issue of Mississippi access was a matter of life and death. Without access to the Mississippi, settlement was impossible. [*What Shall be Done with Spain?*]

John Jay opened negotiations with his Spanish counterpart Don Diego de Gardoqui. Both were instructed to hold firm on the question of the Mississippi, but Gardoqui persuaded Jay to accept a 30-year closure of the river in exchange for Spanish trade concessions. Southerners smelled intrigue. [*Jay has Managed Dishonestly*] Jay recounted the impossibilities of the negotiations and defended his actions [*Negotiations with Don Diego de Gardoqui*], but an agreement pleasing all sides proved impossible. Anger and suspicion ran high. Regional differences exacerbated by the negotiations with Spain nearly sank the proposed Constitution. One lasting result was the proviso that in the future, a  $2/3$  vote of the Senate would be required to ratify a treaty.

As Jay finally told Gardoqui, the transition to a new government under the Constitution created a climate “little adapted to negotiations.” [*Delay in Negotiations with Spain*] A new stronger Federal Government would change all that. ■